WILLIE C. ALEXANDER and BELINDA N. PITMAN,	
Plaintiffs,	
v.	Case No.: 2:05-cv-0449-WKW
CERTEGY CHECK SERVICES, INC.,	
Defendant.))

OFFER OF JUDGMENT BY DEFENDANT CERTEGY CHECK SERVICES, INC.

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendant Certegy Check Services, Inc. ("Certegy"), offers to allow judgment to be taken against it by the plaintiffs Willie C. Alexander and Belinda N. Pitman in the following amounts: Judgment for Plaintiff Alexander in the amount of \$5,000 inclusive of costs then accrued, plus reasonable attorney's fees to be determined by the court, and judgment for Plaintiff Pitman in the amount of \$5,000 inclusive of costs then accrued, plus reasonable attorney's fees to be determined by the court. This offer is made solely for the purposes specified in Rule 68 and is not to be construed as an admission of liability. Certegy makes this offer solely for the purpose of effecting a compromise resolution pursuant to the terms of Rule 68. If

this offer is not accepted within ten days from the date of service, it shall be deemed withdrawn and evidence of this offer shall not be admissible in this or in any other proceeding, except in a proceeding to determine costs.

Alabama State Bar No.: ASB 7112-R65A

awheeler@jbpp.com Joseph W. Carlisle

Alabama State Bar No.: ASB 1197-E68C

jcarlisle@jbpp.com

Attorneys for Defendant Certegy Check Services, Inc.

JOHNSTON BARTON PROCTOR & POWELL LLP

Case 2:05-cv-00449-WKW-VPM

2900 AmSouth/Harbert Plaza 1901 Sixth Avenue North Birmingham, Alabama 35203 Telephone: (205) 458-9400

Facsimile: (205) 458-9500

OF COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that I have served the above and foregoing by placing a copy of the same in the U.S. Mail, first-class postage prepaid and properly addressed, upon the following counsel of record:

> Earl P. Underwood, Jr. 21 South Section Street P.O. Box 969 Fairhope, Alabama 36533

Jim S. Calton, Jr. Calton & Calton 226 East Broad Street Eufaula, Alabama 36027

David R. Donaldson Tammy M. Stokes Donaldson & Guin, LLC 2 North 20th Street, Suite 1100 Birmingham, AL 35203

On this, the <u>26</u> day of <u>July</u>, 2006.